

Appl. No. 10/754,494
Amdt. Dated December 14, 2004
Reply to Office Action of September 15, 2004

Amendments to the Drawings:

The attached sheet of drawings (sheet 6/8) includes changes to Fig. 6. This sheet, which includes Fig. 6, replaces the original sheet (sheet 6/8) including Fig. 6. In Fig. 6, reference numerals 80 and 84 were added. No new subject matter has been added.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

REMARKS

Priority

A certified copy of the Canadian application is enclosed herewith as required by 35 U.S.C. 119(b).

Specification

In the specification, reference numeral 123 was added after "fan blades". Fan blades 123 are shown in Figs. 4-7. In addition, reference numerals 80 and 84 were added to refer to the drain hole and hoses respectively.

Drawings

The Examiner objected to the drawings as containing reference numeral 123 even though it was not mentioned in the description. As detailed above, the specification has been amended to add reference numeral 123.

The Examiner also objected to the drawings for failing to show the drain holes. In Fig. 6, reference numeral 80 was added to show the drain hole and 84 was added in order to show the hose. Corresponding additions were made to the specification as detailed above.

Claim Rejections – 35 USC 103

The Examiner has rejected claim 8 as being unpatentable over applicant's discussion of the prior art. More specifically, the Examiner is of the view that the shaft having the threaded recess and the cap having the threaded bolt is a mere reversal of parts being an obvious expedient. The Examiner has relied on In Re Gazda, 219 F. 2d 449, 104 USPQ 400 (CCPA 1955) in support of the rejection. The applicant respectfully requests reconsideration for the reasons set out below.

In Re Gazda is a decision relating to a clock wound by the steering wheel of an automobile. The device at issue consisted of a clock positioned on the moving steering wheel and ratchet actuating means connected to the non-moving steering wheel post. A prior art patent taught the placement of the clock on the steering wheel post and the ratchet actuating means on the steering wheel. The United States Court of Customs and Patent Appeals held that the placement of the clock on the steering wheel or the steering wheel post was a matter of choice. Because the ratchet had to be mounted to the opposite part in order for the invention to function, it was held that this was obvious as it involved a mere reversal of parts. There was no change in how the two elements interacted.

In the present application, the parts have not merely been reversed as in the positions of the clock and ratchet of In Re Gazda. The shaft of the motor still projects through an aperture in the fan and is connected to the fan cap, however the structure of the shaft itself has been altered. Rather than having threads on its outer surface, the shaft is provided with a hollow end (the "recess") and threads have been provided on the inside wall of the recess. The fan cap is provided with a threaded bolt that is adapted to be connected to the internal threads of the shaft. As a result of these changes, the shaft need not project out the bottom of the fan as far as was previously required in order to provide

a threaded surface for the fan cap of the prior art to connect to, thereby providing a tangible advantage.

The applicant respectfully submits that changing the structure of the shaft as described above would not be obvious in light of the prior art, as there is no motivation for one skilled in the art to make such a change. The applicant therefore respectfully submits that claim 8 is allowable in its present form.

Allowable Subject Matter

The Examiner indicated that claims 9 and 10 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 9 has been so amended. Claim 10 is dependent on claim 9. Accordingly, the applicant respectfully submits that claims 9 and 10 are in condition for allowance.

CONCLUSION

The Applicant submits that the claims are in condition for allowance and respectfully requests that a Notice of Allowance be issued in this case.

Date: December 14, 2004

Respectfully submitted,



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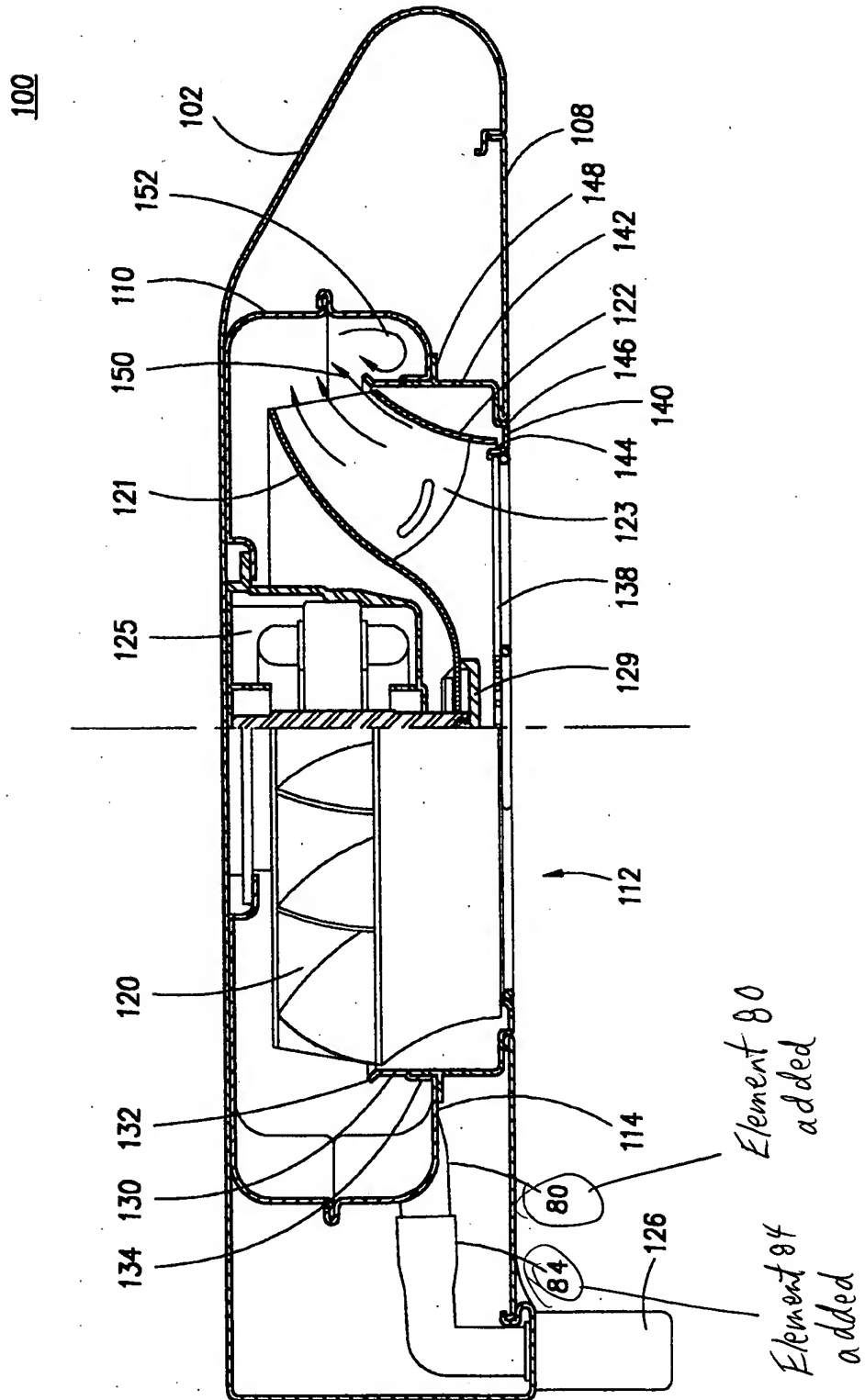


FIG. 6